

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO**

UNITED STATES OF AMERICA,)	CASE NO. 1:02CR00049-001
)	
Plaintiff,)	JUDGE: JAMES S. GWIN
)	
vs.)	ORDER
)	
JAMES L. FRANKS,)	
)	
Defendant.)	

This matter came before the Court for final hearing on defendant's violation of conditions of supervision on October 28, 2010. The matter was earlier submitted to Magistrate Judge George Limbert for a Report and Recommendation which was filed on October 8, 2010. The Report and Recommendation indicated that the defendant admitted to committing alleged violations 3, 5, 6 and 7 and the government moved to dismiss violations 1, 2 and 4. No objection was filed to the Report and Recommendation.

The defendant was present and represented by Attorney Jacqueline Johnson. Defendant acknowledged receipt of a copy of the Report and Recommendation. Further, defendant admitted to the alleged violations numbered 3, 5, 6 and 7. The Court found that defendant chose not to appeal the Report and Recommendation and, based upon defendant's admission, adopted the Report and Recommendation of the Magistrate Judge and found that defendant had violated the conditions of supervision as follows:

3) failure to report to the Probation Office as instructed;

- 5) unauthorized drug use;
- 6) failure to maintain employment;
- 7) failure to support dependants.

Therefore, the defendant is committed to the custody of the Bureau of Prisons for a term of six months and is granted credit for any time served as to the instant violations. Upon release from incarceration defendant's period of supervised release shall terminate.

Defendant shall self-report to the Office of the U.S. Marshal (Cleveland) on December 15, 2010, by 12:00 noon. If defendant receives reporting instructions from the Bureau of Prisons prior to December 15, 2010, he shall comply with those instructions but, in the event defendant does not receives such instructions from the Bureau of Prisons, he shall report to the U.S. Marshal as noted above.

Dated: October 29, 2010

s/ James S. Gwin
JAMES S. GWIN
UNITED STATES DISTRICT JUDGE